

## REMARKS/ARGUMENTS

In the Office Action mailed May 22, 2009, claims 1 – 16 were subject to a restriction and/or election requirement. In particular, the Office action states that the application contains the following inventions or groups of inventions:

- I. Claims 1 – 12 drawn to modifying duty ratio based on power source condition, classified in class 455, subclass 343.5.
- II. Claims 13 – 16 drawn to using distance to determine duty ratio, classified in class 455, subclass 41.2.

In response, Applicants elect Group I, claims 1 – 12.

Applicants respectfully request consideration of the claims in view of the election made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

/mark a. wilson/

Date: June 19, 2009

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